

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SCOTT D. DALESANDRO and DIANE	:	Case No. C-1-01 109
NOONAN, on behalf of themselves and	:	
others,	:	Chief Judge Sandra S. Beckwith
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
INTERNATIONAL PAPER COMPANY,	:	
	:	
Defendant.	:	

DEFENDANT'S NOTICE OF INTENT TO RESPOND TO
PLAINTIFF'S REPORT ON THE RESULTS OF THE NOTICE TO THE CLASS
FOR ENTRY OF FINAL JUDGMENT AND UNOPPOSED MOTION FOR EXTENSION OF
TIME TO OPPOSE SUPPLEMENTAL MOTION FOR ATTORNEY FEES

On August 20, 2004, plaintiff's counsel filed a Report on the Results of the Notice to the Class for Entry of Final Judgment along with a Supplemental Motion for Attorneys' Fees and Expenses.

Because plaintiff's "Report" is not a motion or other pleading to which a response is contemplated by the Local Rules, the defendant submits this notice to the Court that defendant does intend to file a response, and proposes a deadline of September 16, 2004, in which to do so. Defendant needs to obtain additional documentation in support of its response, and due to the intervening Labor Day holiday and absence of many necessary personnel during this time, defendant respectfully requests time beyond the standard 21-day response time for a motion.

The defendant also hereby moves for an unopposed 6-day extension -- to September 16, 2004 -- to file a response to plaintiff's Supplemental Motion For Attorneys fees (International Paper' response would otherwise be due on or before September 10, 2004).

Respectfully submitted,

INTERNATIONAL PAPER CO.

By: s / Michael Roberts

**COUNSEL FOR DEFENDANT
INTERNATIONAL PAPER CO.**

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September 2004, a true and complete copy of this document was delivered via electronic filing to Counsel for Plaintiff, Theresa L. Groh, Esq., and John C. Murdock at Murdock, Goldenberg, Schneider & Groh, L.P.A., 700 Walnut Street, Suite 400, Cincinnati, Ohio, 45202.

s/ Michael A. Roberts